



NEVADA DEPARTMENT OF AGRICULTURE
405 South 21st Street
Sparks Nevada 89431
(775) 353-3773



Organic Certification Program
ORGANIC FARM PLAN ANNUAL UPDATE

The person applying to update organic certification should complete this Organic Farm Plan Annual Update. Producer/Handlers must also complete an Organic Handling Annual Update Form.

This farm plan annual update must be received on or before March 31 to avoid a late charge of \$250.00 (NRS 587.905). Late returns can result in suspension of certification.

This form must be completed in full.

Section One: General Information **Complete this section in full.**

Date: _____

BUSINESS INFORMATION (Where appropriate, list all corporate officers and offices, partners, etc. Attach additional pages if necessary.)

Business / Farm Name _____ Nevada Organic Certification Program Number: _____

Producer Name(s) (list all) _____

☐ I DO NOT PLAN TO UPDATE MY ORGANIC CERTIFICATION AND AS OF THE DATE SHOWN BELOW REQUEST TO SURRENDER THAT ORGANIC CERTIFICATION TO THE NEVADA DEPARTMENT OF AGRICULTURE:

 Signature and Position with the certified operation Date

Mailing Address _____ City _____

State: _____ Zip _____ Phone _____ Fax _____

E-mail _____

Legal status:

☐ Sole proprietorship ☐ Corporation ☐ Trust or non-profit ☐ Cooperative ☐ Legal partnership ☐ Other _____

Farm Address (if different from above) _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Person responsible for day to day activities on farm or facility: _____

Phone: _____ Alternate phone: _____ Fax: _____

E-mail: _____

CERTIFICATION FEES

The organic certification fee consists of three parts: (1) the application fee, (2) the annual gross sales fee, and (3) the inspection fee. You will submit the application fee and the gross sales fee with this application. The application fee is non-refundable. The gross sales fee is refundable if you decide to withdraw your application to update your organic system plan. *The inspection fee will be billed to you following the inspection of your farm or facility.*

Under the National Organic Program (7CFR Part 205) businesses with annual gross sales of organic products of \$5,000.00 or less are exempt from the requirement to certify. See page 16 of this application for details. Even if you qualify for the exemption, you can still apply for certification if you choose.

Calculate YOUR Organic Certification Fee: *Applications received without the necessary fees will be returned.*

(1) Application fee

- ☐ Updating Producer\$ 75.00.....\$ _____
- ☐ Updating Producer/Handler\$ 75.00 (pay one fee only).....\$ _____

Producers who process only certified organic products raised on their own organic farm are exempt from paying the handler application fee but must also submit a completed Organic Handling Plan Annual Update Application.

(2) Estimated annual gross income (products or services) of organic products:

<i>Gross Income</i>	<i>Amount</i>
\$0 to \$ 5,000.00	\$150.00
\$5,001.00 to \$10,000.00	\$175.00
\$ 10,001.00 to \$ 15,000.00	\$250.00
\$ 15,001.00 to \$ 20,000.00	\$275.00
\$ 20,001.00 to \$ 25,000.00	\$300.00
\$ 25,000.00 to \$ 30,000.00	\$325.00
\$ 30,001.00 to \$ 35,000.00	\$350.00
\$ 35,001.00 to \$ 50,000.00	\$375.00
\$ 50,001.00 to \$ 75,000.00	\$450.00
\$ 75,001.00 to \$ 100,000.00	\$550.00
\$ 100,001.00 to \$ 150,000.00	\$600.00
\$ 150,001.00 to \$ 200,000.00	\$700.00
\$ 200,001.00 to \$ 250,000.00	\$850.00
\$ 250,001.00 to \$ 350,000.00	\$1,250.00
\$ 350,001.00 to \$ 500,000.00	\$1,750.00
\$ 500,001.00 to \$ 1,000,000.00	\$3,500.00

(2) Gross Income Fee \$ _____

Total of (1) and (2). Submit this amount with your application..... \$ _____

**Note: Gross sales amounts are subject to verification during annual inspection.*

(3) Inspection fee

The inspection fee includes mileage charges and time calculated from the inspector's departure from the NDA office until the inspection is completed and the inspector returns to the NDA office. The fee is \$65.00 per hour, and the current mileage rate is \$.56/mile. The inspection fee will be billed to you after the inspection occurs. An estimate of the inspection cost will be mailed to you once your application has been processed and approved. Please refer to the USDA National Organic Program Handbook (www.ams.usda.gov/NOP) for information related to preparing for the inspection.

NOTE: An application is attached to request reimbursement through the Federal Cost Share Program. This program provides reimbursement of up to 75% of your certification and inspection costs.

Please review the Organic System Plan (OSP) you submitted previously and any updates you have submitted since (acreage, maps, field numbers, crops grown, materials used, and other documents). You must show any changes, modifications or other amendments you plan to make to the OSP. This includes the addition or deletion of growing areas, changes in the kinds of crops you plan to grow, adjacent land use changes, etc. Use the space below each category to summarize the current plan as well as any changes. Attach additional pages as necessary.

Please review your Organic System Plan Update from last year and compare with your records to answer the following:

A. Cropping Plan. Do you plan to grow crops other than those you have reported before?

- ☐ No. List all crops in your current Cropping Plan on page 10.
- ☐ Yes. List all crops in your current Cropping Plan on page 10.

Do you plan to add any fields, greenhouses, cold frames or hoop houses that are not shown on previous reports?

- ☐ No. Provide a general description of fields, greenhouses, hoop houses etc. used for organic production.
- ☐ Yes. Attach a map showing location, size, and relationship to other growing areas, and include a history of the growing area, documenting previous use, materials applied, etc. If a new structure (greenhouse, cold frame or hoop house) describe the construction materials used. Add additional pages if necessary. Please contact us for a copy of Form ORG-303, which may be used to document additions.

B. Record Keeping. Do you plan to make any revisions to your record keeping system?

- ☐ No. Please provide a brief summary of record keeping forms and procedures currently used.
- ☐ Yes. I plan to make the following changes to my record keeping system: _____

C. Cover Crop and Crop Rotation. Do you plan to alter your cover cropping or rotational plan?

- ☐ No. Please generally describe the crops used and schedules for your current rotation and cover plans.
- ☐ Yes. I plan to make the following changes to my cover cropping/crop rotation plan: _____

D. Fertilization. Do you plan to alter your current fertilization plan?

- ☐ No. Please list all fertilizer inputs to be used on pages 5 and 6.
- ☐ Yes. Please list all fertilizer inputs to be used on pages 5 and 6. I plan to make the following changes to my fertilization methods: _____

E. Pest Management. Do you plan to alter your current pest management plan?

- ☐ No. Please list all pest management inputs used on pages 5 and 6.
- ☐ Yes. Please list all pest management inputs used on pages 5 and 6. I plan to make the following changes in my pest management practices:_____

F. Harvest and Handling. Do you plan to alter your current harvest and handling methods?

- ☐ No. Please describe your current harvest and handling methods.
- ☐ Yes. Please describe your current harvest and handling methods. I plan to make the following changes to my harvest and handling methods:_____

G. Equipment. Will you add any new equipment for cultivation, planting, harvesting or transportation?

- ☐ No. Please list the general types of equipment currently used for organic production.
- ☐ Yes. Please list the general types of equipment currently used for organic production. I plan to make the following changes to equipment used for cultivation, planting, harvesting and transportation of my organic crops:_____

H. Natural Resources. Will you alter your natural resources plan with regard to soil conservation or water use?

- ☐ No. Please provide a brief description of your current plan for resource conservation.
- ☐ Yes. Please provide a brief description of your current plan for resource conservation. I plan to make the following changes were made to my natural resources plan:_____

I. Marketing. Will you change the manner in which you market organic crops?

- ☐ No. Please briefly describe your current marketing approach.
- ☐ Yes. I plan to make the following changes in the way I market my organic crops:_____

J. Buffer Zones/Adjacent Fields. Please review your Organic System Plan (OSP) maps. Have there been any changes to field configurations, land use, or production practices which may affect the potential for contamination of organic crops? Have any new risks of contamination been identified?

- ☐ No.
- ☐ Yes. List changes in detail and describe the steps you have taken or will take to protect your crops from potential contamination. Add additional pages, maps, etc as necessary.

Section Three: Inputs

A. Inputs used last year. Please list all fertility inputs, soil mix ingredients, pest and disease control products, water additives, or other materials that you used in the past growing season on organic fields or greenhouses. Use additional sheets if necessary. All inputs used must be shown below. **Have all labels and receipts available for the inspector during your annual inspection.**

NOTE: If you have fields that are not being managed organically (non-organic fields) you must also list below all products or materials used on those fields as well.

Product or Material	Brand name or source	What type of material? (fertilizer, insecticide, weed control, disease control, other...be specific)	Is field Organic (O) or Conventional (C)?

B. Seed

- Did you use non-organic seed? ☐ Yes ☐ No
- If you used non-organic seed, did you attempt to locate organic seed? ☐ Yes ☐ No
- Are your attempts to locate organic seed documented in your records? ☐ Yes ☐ No
- If you used non-organic seed was it verified, in writing, to be non-GMO seed? ☐ Yes ☐ No
- If you used non-organic seed was it treated? ☐ Yes ☐ No

With what was it treated?: _____

- Do you have seed tags, labels, or bags for all of the seed you used? ☐ Yes ☐ No

C. Inputs to be used. List all fertility inputs, soil mix ingredients, pest and disease control products, water additives, etc. that **you plan to use** in the current growing season on organic fields or greenhouses, and on any conventional fields you have. Use additional sheets if necessary. All inputs that you plan to use must be shown below.

Please submit product labels, EPA registration number, or other detailed documentation verifying product composition for all new inputs to be used. Additionally, have all labels and receipts available for your inspector.

[illegible]

NOP 205.103

The following organic crops/products have been sold from (date of last inspection)_____ to (today's date)_____. Note: If you grow a wide variety of organic crops you may group like-products for this data. For example: "lettuces", "greens", "root crops", "summer squash", "winter squash", "herbs", "cut flowers", etc. **Alternative sales report formats are acceptable as attachments in lieu of completing the table below.**

[illegible]

Section Five Monitoring Practices and Procedures Ongoing monitoring required by NOP 205.201(a)(3)

Fertility Management Program.

Rate the effectiveness of your fertility management program: ☐excellent ☐satisfactory ☐needs improvement

Explain why, including monitoring practices used:_____

Natural Resources Management

Rate the effectiveness of your soil conservation program: ☐excellent ☐satisfactory ☐needs improvement

Explain why, including monitoring practices used:_____

Rate the effectiveness of your water quality program: ☐excellent ☐satisfactory ☐needs improvement

Explain why, including monitoring practices used:_____

Weed, Insect, Disease Management

Rate the effectiveness of your weed management program: ☐excellent ☐satisfactory ☐needs improvement

Explain why, including monitoring practices used:_____

Rate the effectiveness of your insect pest management program: ☐excellent ☐satisfactory ☐needs improvement

Explain why, including monitoring practices used:_____

Rate the effectiveness of your disease management program: ☐excellent ☐satisfactory ☐needs improvement

Explain why, including monitoring practices used:_____

Other Monitoring:

Maintenance of Organic Integrity

- | | | |
|------------------------------|-----------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Do adjacent land owners or government agencies use prohibited materials on land adjacent to or near your organic operation? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Have you notified them of your organic certification? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Is this notification in writing? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Do you update this notification each year? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Have you posted “No spray” signs on field perimeters? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Do you hire custom equipment operators for field preparation, seeding, pest management, harvest, hauling, etc.? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | If yes, are records of equipment cleaning and/or purge maintained? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Do you test crops for contaminants such as prohibited materials, GMO’s, or other? |
| Please describe:_____ | | |

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Are your crops handled by someone other than you after harvest?
		Please describe: _____

		If yes, describe how you verify that they are protecting the organic integrity of your crops/products. _____

		If your crops/products are stored off-farm, how do you verify that the facility is being managed in such a way as to protect the organic integrity of your crops/products? _____

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Do you use clean-transportation affidavits when shipping your organic crop/products?

Recordkeeping

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Do you make compost on farm?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, do you keep compost production records (temperature, C:N ratio, aeration) as required by CFR 205.203c(2)? Have records available for annual inspection.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Do you retain a <u>written record</u> of all application of inputs to fields, etc. (material, date applied, where applied)?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Do you retain a <u>written record</u> of all harvest and sales activity?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Do you make a written record of field monitoring for insects, weeds, and diseases?

Please use Section Two, Part B to describe your record-keeping system.

Additional Comments:

Section Six Cropping Plan

Complete this form as accurately as possible, to the best of your knowledge at the time of this application.

Operations growing multiple crops must **list all** crops planned. ****Additionally, complete the seed search documentation form below for any non-organic seed used.** It is **not** necessary to list varieties (i.e., “carrots” is adequate; it is not necessary to list “Scarlet Nantes”, “Thumbelina”, “Babette”, etc.). Growers of tree or vine fruits, nuts or other perennial crops **must** list variety (i.e., “apples” is not adequate; you **must** list “Gala, MacIntosh, Golden Delicious” etc.) Producers of container crops list estimated number and size of containers to be produced (i.e., 200 vegetable transplants, or 150 four inch pots). Use more than one page if necessary.

[illegible]

Section Six Cropping Plan (continued)

Field, growing area, greenhouse, hoop house name or number per your farm map.	Crop/Cover Crop	Production Area: Acreage, square feet, etc.	Harvest Season	Estimated Production	Organic (O)or Conventional (C)	Is this crop listed on your previous Organic System Plan? Yes/No

NEVADA DEPARTMENT OF AGRICULTURE

405 South 21st Street
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(775) 353-3773



Organic Certification Program NON-ORGANIC SEED RECORD

PRODUCER:	FARM / RANCH / BUSINESS NAME (IF DIFFERENT)
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The purpose of this form is to document your attempts to locate organic seed/planting stock. You are required to show a "good faith effort" to obtain organic seed/planting stock. **Therefore, the suppliers you contact should be those that have a reasonable expectation of handling the organic seed/planting stock you requested.**

List below the names and contact information of seed and/or planting stock suppliers you contacted regarding the availability of organic seeds or planting stock.

Consider this carefully: The failure to attempt to locate organic seed/planting stock could result in non-compliance if it is later found that the input is commercially available in organic form. Before purchasing or using non-organic seed/planting stock, contact the Department of Agriculture for information concerning sources of organic seed/planting stock.

Complete this table for all non-organic seeds used or planned for use.				Attach additional sheets if needed.
SEED OR PLANTING STOCK TYPE	VARIETY	QUANTITY	REASON FOR EXEMPTION (ATTACH ADDITIONAL EXPLANATION IF NEEDED)	SUPPLIERS CONTACTED (LIST NUMBERS FROM REVERSE)
			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	
			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	
			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	
			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	
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			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	
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			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	
			<input type="checkbox"/> FORM <input type="checkbox"/> QUALITY <input type="checkbox"/> QUANTITY <input type="checkbox"/> OTHER (LIST) _____	

I certify that I have contacted the seed suppliers listed and found that the seed(s) and/or planting stock listed on this affidavit are not commercially available in an equivalent organically produced variety.

Signature of Applicant	Date
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Attach additional sheets if needed.

SUPPLIER NUMBER 1:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 2:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 3:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 4:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 5:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

SUPPLIER NUMBER 6:

BUSINESS NAME	CONTACT DATE	CONTACT PERSON	TELEPHONE
ADDRESS	CITY	STATE	EMAIL ADDRESS

National Organic Program (NOP) rules require that all annual crops be grown from organic seeds or planting stock. Pertinent NOP rules include:

§ 205.204 Seeds and planting stock practice standard. (a) The producer must use organically grown seeds, annual seedlings, and planting stock: Except, That, (1) Non-organically produced, untreated seeds and planting stock may be used to produce an organic crop when an equivalent organically produced variety is not commercially available, Except, that, organically produced seed must be used for the production of edible sprouts;

§ 205.2 Terms defined. Commercially available. The ability to obtain a production input in an appropriate form, quality, or quantity to fulfill an essential function in a system of organic production or handling, as determined by the certifying agent in the course of reviewing the organic plan.

§ 205.103 Recordkeeping by certified operations. (b) Such records must: (4) Be sufficient to demonstrate compliance with the Act and the regulations in this part.

Section Seven: Non-Compliances**NOP 205.406(a)(3)**

During the exit interview conducted at the end of your last inspection were there any items that you needed to improve or correct? ☐ Yes ☐ No

If so, what were they and what did you do to address them? _____

Were you issued a Notice of Non-Compliance last year? ☐ Yes ☐ No

If yes, please complete the following table.

Non-Compliance	How did you correct the non-compliance?

Signature of Owner / Manager: _____ Date: _____

Print Name of Owner or Manager: _____

If you have attached additional documents please list them here:

You must retain a copy of this Organic Farm Plan Annual Update and other supporting documents and keep with your records.

Return this completed form and the application/estimated gross sales fee to:

**Nevada Department of Agriculture
Attn: Organic Certification Program
405 South 21st Street
Sparks NV 89431**

Questions? Call 775.353.3773

Nevada Department of Agriculture
Organic Certification Program

Exemption from Certification for Growers, Handlers, Retail Stores

Exemption from Certification for Growers

The National Organic Program exempts growers from organic certification if gross annual income from organic sales total \$5,000.00 or less annually. Any grower whose gross sales of organic agricultural products are more than \$5,000.00 in a year must be certified. However, there are some limits on where and how non-certified products can be marketed. Refer to the NOP standards [205.101(a), (c) and 205.310] to become more familiar with labeling and record keeping requirements of exempted and excluded operations. You can obtain a copy of the National Organic Program regulations by contacting the Nevada Department of Agriculture office in Sparks, 775-353-3773 or by visiting the National Organic Program website: <http://www.ams.usda.gov/nop/>.

Exemption from Certification for Handlers

The National Organic Program exempts handling operations from organic certification if gross annual income from organic sales total \$5,000 or less annually. Any handling operation whose gross sales of organic agricultural products are more than \$5,000.00 in a year must be certified. However, there are some limits on where and how non-certified organic products can be marketed. An exempt company cannot process and label non-certified products as organic if they did not grow them. Refer to NOP standards 205.101(a), (c) and 205.310] to become more familiar with labeling and record keeping requirements of exempted and excluded operations. You can obtain a copy of the National Organic Program regulations by contacting the Nevada Department of Agriculture office in Sparks, 775-353-3773 or by visiting the National Organic Program website: <http://www.ams.usda.gov/nop/>

Exemption from Certification for Retail Stores

Generally, a retail store does not have to be certified. Retailers that process or repack agricultural products for sale as organic at one location and then transfer that product to another location must be certified. Retailers that process, package, repack, label, or re-label certified organic products for sale as “certified” organic must be certified.

Questions? Please contact the Nevada Department of Agriculture office in Sparks, 775-353-3773

PLEASE DETACH AND KEEP THE FOLLOWING INFORMATION IN YOUR RECORDS

Nevada Department of Agriculture
Organic Certification

Notice of Applicant's Rights and Responsibilities

Applicant's Rights

1. Provided that an application falls within the Nevada Department of Agriculture's area of accreditation, applications will be processed, to the extent of the Department's administrative capacity, without regard to the applicant's size or membership in any association or group [7CFR Part 205.501(a)(19)].
2. Applicant is not required to use the Nevada Department of Agriculture's organic certification seal, logo, and/or other identifying mark as a condition of certification [7 CFR Part 205.501(b)(1)].
3. Applicant has a right to obtain from certifying agent an estimated total cost of certification, and an estimate of the annual cost of updating the certification (e.g., fee schedule). The Department's fee schedule must explain what fee amounts are non-refundable and at what stage during the certification process fees become nonrefundable [7 CFR Part 205.642)].
4. Applicant may withdraw its application at any time. An applicant who withdraws its application shall be liable for the costs of services provided up to the time of withdrawal of its application. An applicant that voluntarily withdraws its application prior to the issuance of a notice of noncompliance will not be issued a notice of noncompliance. Similarly, an applicant that voluntarily withdraws its application prior to the issuance of a notice of certification denial will not be issued a notice of certification denial [7 CFR Part 205.402(c)].
5. An applicant for certification who has received a written notification of noncompliance or a written notice of denial of certification may apply for certification again at any time with any certifying agent, in accordance with 7 CFR Part 205.401 and 205.405(e). The certifying agent must treat a new application for certification as a new application and begin a new application process pursuant to 7 CFR Part 205.402.
6. Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation, or suspended or revoked by the Nevada Department of Agriculture or the NOP [7 CFR Part 205.404(c)].

Applicant's Responsibilities

1. Applicant is required to comply with all applicable provisions of the Organic Foods Production Act of 1990 (Act) as amended [7 U.S.C. 6501 et seq.], including requirements of the Nevada Department of Agriculture and National Organic Program regulations.
2. Applicant must establish and implement (and thereafter annually update) an organic production or handling plan, as described in 7 CFR 205.200.
3. Applicant must permit onsite inspections with complete access to the production or handling operation, including non-certified production and handling areas, structures, and offices by the Nevada Department of Agriculture, as provided for in 7 CFR 205.403.

4. Applicant must maintain all records applicable to the organic operation for not less than five (5) years beyond their creation and allow authorized representatives of the USDA Secretary and the Nevada Department of Agriculture to access such records during normal business hours for review and copying to determine compliance with the Act [7 CFR Part 205.400(d)].

5. Applicant must submit the applicable fees charged by the Nevada Department of Agriculture. The applicant is required by the Nevada Department of Agriculture to pay at the time of application a nonrefundable fee that shall be applied to the total certification fee.

6. Applicant must immediately notify the Nevada Department of Agriculture of any (1) application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of an operation, and (2) change in a certified operation or any portion of a certified operation, that may affect its compliance with the Act and NOP regulations [205.400(e)].

7. When an applicant who has previously received written notification of noncompliance or written notice of denial of certification subsequently submits a new application to a certifying agent other than the agent who issued the notification of noncompliance or notice of denial of certification, the applicant to certification must include a copy of the notification of noncompliance or notice of denial of certification and a description of the actions taken, with supporting documentation, to correct the non-compliances noted in the notification of noncompliance.

8. If the Nevada Department of Agriculture has reason to believe that an applicant for certification has willfully made a false statement or otherwise purposefully misrepresented the applicant's operation or its compliance with the NOP certification requirements, the Nevada Department of Agriculture may deny certification without first issuing a notification of noncompliance [7 CFR Part 205.405(g)].

The preceding applicant rights and responsibilities do not constitute all of an applicant's rights and responsibilities under the NOP. For example, an applicant's rights and responsibilities with respect to an onsite inspection are set out in the Nevada Department of Agriculture's "Onsite Inspection Standards and Procedures", available upon request, and provided to an applicant prior to an onsite inspection.